

Hawaiian Gazette.

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HONOLULU, H. T., TUESDAY, DECEMBER 29, 1903—SEMI-WEEKLY.

WHOLE No. 2550.

COAL CARGOES FROM NEW-CASTLE WILL HAVE TO PAY DUTY

Upward of a dozen ships now en route to Honolulu from Newcastle with coal cargo will have to pay duty on the next twenty days, the consequence of a shortage in the local supply and the corresponding gain in the price of coal. The tariff on foreign coal which was removed only for the term of one year in 1902, because of the shortage in the local supply and the demand of producers and sellers will again be put into effect. The coal famine, and to bring about extensive importations of sixty-seven cents a ton and there are now on the way to Honolulu with Australian coal the ship Henry Villard sixty-seven days out, the ship L. P. Chapman fifty-eight days out, the schooner Ariel forty-four days out, the schooner Ena forty-two days out, the ship St. James thirty-five days out, the barkentine Andromeda twenty-nine days out, the schooner Amaranth twenty-two days out and the schooner W. H. Taylor eighteen days out. Most of these vessels ought to get into port before the tariff goes on again, but it is probable that some of them will have to pay duty on their cargo. The Henry Villard and the Amaranth are making unusually long trips and ought to arrive within a few days. The General Fairchild which arrived Saturday took five days for the trip and if some of the other vessels now en route require as long a time, Collector Stackable will collect the seven cents a ton duty on their cargoes.

The importations of coal from Newcastle have been unusually large during the past year, due in a great measure to the fact that foreign coal had been exempted from duty during that period. In consequence also there will be a rush to get as much coal as possible into port before the duty is placed on coal again, although it is doubtful if any others than the vessels above mentioned can land cargoes before January 16th.

There is fully a score of ships now loading at Newcastle with coal for this port, but none of them will be able to get here in time to avoid paying duty.

COAST ARTILLERY MAY LEAVE HONOLULU

While in New York, Bishop Restarick received a letter from the Secretary of War saying it was in contemplation to remove the coast artillery from Honolulu and substitute infantry until such time as fortifications shall be erected here. For McMillan has also heard the rumor but has received no orders as yet.

FLEET WILL WEIGH ANCHOR AND LEAVE HONOLULU TODAY

Admiral Evans and his fleet will bid farewell to Honolulu this morning at 10 o'clock. The fleet will be massed off the entrance to the channel early and be ready to start in fleet formation when the signal is given from the flagship Kentucky.

WARSHIPS ARE SHIFTED.
The two big battleships which moored at Naval Dock No. 2 since their arrival, steamed out of the harbor yesterday morning and took up positions at the anchorage. The Wisconsin was the first to move out of the entrance to the channel. The Raleigh moored alongside dock No. 1. The cruiser Albany and the battleship Oregon remained in the stream, the former having finished coaling on Sunday. The Oregon took in 300 tons yesterday.

The New Orleans took on 150 tons of coal yesterday, the Cincinnati 61 tons in bags and 120 tons in bulk, the Raleigh 40 tons in bags and 120 tons in bulk.

WILL SERENADE THE FLEET.
At 8 o'clock this morning Captain R. M. Ingham in command of the U. S. S. Ingham will command the Hawaiian Government band, government officials and other guests, and steam out to the anchorage, where the entire fleet will be serenaded.

ACQUAINTANCE MOVEMENTS.
It was expected that two days out from Honolulu the battleship and cruiser squadrons will part and proceed independent of each other. The battleships are expected to proceed direct to Guam, while the cruiser squadron will call at Midway and pick up any orders that may have been sent to that place.

LAUNCHES WERE BUSY.
The launches were kept busy all day yesterday, transferring sundry passengers to the fleet and carrying visitors and the crews of the officers to be entertained on the last time aboard.

BOATMEN WERE FOR MANILA.
The Hawaiian port Police called for Manila yesterday afternoon at 1:30. The boats were without much business. The launches were drawn up to the dock and the passengers of the ship New Orleans were disembarked. The ship did not recover her launch which was lost in the harbor on December 24.

HAWSEY IN NEW ORLEANS' PROPELLER.

While the cruiser New Orleans was docking yesterday at Naval Dock No. 2, a big manila hawser became entangled with the starboard screw. Luckily the vessel was practically alongside the dock at the time. A diver from the cruiser was sent down to examine the blades and had to cut the hawser in two before he could free the screw. No damage was done to the latter.

EVANS RESUMES QUARTERS.
Admiral Evans went aboard the flagship Kentucky yesterday morning and again took up his headquarters in the ship. The Admiral and his staff had apartments at the Young Hotel during their stay in port.

MAIL FOR MIDWAY.
The postoffice authorities here have made arrangements with Admiral Cooper, whereby the cruiser New Orleans will carry mail to Midway for the cable colony. The New Orleans will remain at the dock until 8 o'clock this morning. The mails close at the postoffice at 7 a. m.

ATKINSON RETURNS CALLS.
Secretary of the Territory Atkinson called on Captain Sizer of the Solace yesterday forenoon, returning the captain's call on Governor Carter last Saturday.

FAREWELL NAVAL DANCE.
The officers of the fleet were given a farewell last evening at the Alexander Young Hotel. Hundreds of Honoluluans gathered to greet them and say good-bye. The beautiful roof garden was thronged with guests during the concert given by the Hawaiian Government band. The concert lasted until 10 o'clock when a Hawaiian quartette club struck up the strains of the first waltz in the makai ball room.

A fashionable gathering was present and the ball room presented a pretty scene at all times. The officers were not in uniform as on the occasion of the formal ball in honor of Admiral Evans last Thursday, and owing to the two big battleships being at anchor off the channel, the attendance was not so large as before. The ball was a merry one, however, and the pretty summery gowns of the ladies gave the function a June air.

Manager and Mrs. Lake were profuse in their hospitality and when the ball came to a close at midnight the officers thanked them most cordially for the pleasure they had received on the roof garden during their stay in port. Admiral Evans also expressed his hearty thanks for the entertainments given in his honor.

MEHEULA'S DEMURRER

Question if House Vouchers Are Pub. Docs.

Solo in Meheula's demurrer to indictment for destroying public documents was argued in the Federal court yesterday. Judge Dole asked counsel to file briefs containing their authorities today, as he would like to make his ruling on Monday next.

The main ground of the demurrer is that the Clerk of the Territorial Legislature is not a Federal officer, hence is not amenable to the United States statute under which he is indicted.

J. J. Dunne, Assistant District Attorney, in the course of his argument against the demurrer quoted the Organic Act where it prescribes that the Secretary of the Territory "shall record and preserve all the laws and proceedings of the Legislature," contending that the Secretary must of necessity obtain the documents constituting such "laws and proceedings" from the Clerk of the Legislature. These were public documents under the Organic Act passed by Congress and their custodian before they were handed over to the Secretary of the Territory was therefore a Federal officer in that respect. If the Clerk destroyed any part of the proceedings the Secretary could not record and preserve them. Leaving out of view, then, the broad theory that the Territory was only the creature of Congress and its affairs in consequence of a Federal nature, the attorney for the United States maintained that the Clerk was shown to be a Federal officer. When Congress directed that the Secretary should record and preserve the proceedings of the Legislature, it must have been with respect to the proceedings of the Legislature, which provided for the protection of public documents.

C. W. Ashford for the defendant called his opponent's argument an "ingenious" one, but claimed that it failed to prove Federal jurisdiction in the case. Congress had given Hawaii a government more nearly approaching state government than any other territory had ever received. If it had representation in Congress with the right to vote, this Territory's independence would be practically complete. The Federal court had no jurisdiction over offenses against the Territory. Clerk Meheula was not a Federal official. What Congress might or must have understood had nothing to do with this indictment, as unfortunately for the case Congress did not make the Clerk a Federal officer, nor make the legislative records in his custody public documents, within the scope of the United States statute under which the indictment was found. The vouchers were not public documents any more than memoranda sent up to the Clerk's desk by members, containing the matter of motions or amendments they might offer. Suppose the Clerk made out a voucher for himself. Was he obliged to preserve it, or to deposit it with himself?

Judge Dole asked counsel if the clerk of that court, in a matter wherein he was personally interested, could not file a petition or pleading with himself as clerk.

Mr. Ashford stuck a little at this, but would not admit the parallel.

Mr. Dunne taunted him with refusing to recognize that in the same person there might be vested personal and official responsibility at once. The Federal attorney made a short reply to the defendant's argument.

HABEAS CORPUS.
An amended writ of habeas corpus, in the case of Toki Inoguchi, was argued and submitted before Judge Dole. The subject is the Japanese woman who was snatched, under the writ from the steamer China after being placed on board for deportation. J. W. Cathcart appeared for the writ; Assistant District Attorney Dunne contra.

FORGER SENTENCED.
Manuel Puig was brought forward to be sentenced for forging the material signatures on a postal money order for \$2.00. Mr. Straus for defendant urged leniency on the grounds of Puig's youth, previous good character, and plea of guilty, besides the small amount of money involved. Judge Dole passed the minimum sentence of two years' imprisonment at hard labor, tempering it with the suggestion that the prisoner might, by good conduct, shorten the term.

Mamuel Le Bruh, indicted with Puig, received the benefit of a *habeas corpus*.

SALVAGE CASE.
The salvage suit for \$5000 of Pilot J. C. Lorenzen against the steamer *Claver* was further heard yesterday afternoon. Judge Dole made an important ruling, under which preceding testimony as to expense of the salvaging operations was struck out.

TOURISTS ARE COMING

Half Dozen Tours Arranged for Hawaii.

Four different tours have been planned to come to Honolulu within the next few months. Secretary Boyd of the Hawaiian Promotion committee has been notified of the coming of parties through four different agencies, several of them to bring more than one party.

The Raymond & Whitcomb party will come down in March. The party is now being worked up in California and the promoters are meeting with great success. In fact the party is assuming such large proportions that it will probably have to be divided in two and perhaps three parties before coming down.

The Nippon-California Tour Co. has arranged five tours for Hawaii. These parties are coming down in January, February, March and April. In addition the same company has trans-Pacific tours which include a ten days stop in Hawaii en route to Japan and China.

The Gates tour now has twenty-five members. This party will reach Honolulu early in February and return on March 8th. A trip to the volcano is included in the visit.

L. L. Whitlock of Los Angeles is arranging a tour from California. There were ten in the party according to advices received on the Alameda, and it is expected that it has reached fifteen by this time. This party will be personally conducted by Mrs. W. G. Walker, a former resident of the Islands.

The Hawaiian Promotion Committee has also made arrangements by which the services of its *Ontario* steamship will be placed at the disposal of the people of Hawaii who contemplate a visit to the mainland. Mr. Jennifer has located at No. 17 New Montgomery street in San Francisco, in the offices of the Western Passenger Association. He will answer all inquiries from Honolulu either direct or through the Promotion Committee, and will arrange for hotel or sleeping-car accommodations, for railway tickets and will assist island people in every way possible.

The Hawaiian Promotion Committee has made arrangements with the great trunk railroads by which all inquiries received by them regarding Hawaii are forwarded to either Mr. Jennifer or the local agency. On the other hand the Hawaiian Promotion Committee sends to the railroad and steamship companies, the names of people making inquiries about Hawaii, so that the railroads work directly in influencing people to come to the Islands.

THE CIVIL SERVICE EXAMINATIONS

The following is the list of civil service examinations to be given in Honolulu on the dates indicated. Further information may be obtained by consulting Prof. W. D. Alexander of the Geodetic Survey, Mr. Kenake or Mr. McCoy at the Postoffice and Mr. E. C. Stackable or Prof. Ingalls at the Custom House:

The United States Civil Service Commission announces an examination on January 6, 1904, at the places mentioned in the accompanying list, to secure eligibles from which to make certification to fill the following named vacancies in the position of trained nurse in the Indian service, and other similar vacancies as they may occur.

Riverside School, Wis., \$600 per annum.
Osage School, Okla., \$600 per annum.
Fort Totten School, N. Dak., \$600 per annum.
Chilocco School, Okla., \$600 per annum.
Hayward School, Okla., \$600 per annum.
Navaho School, Ariz., \$600 per annum.
Albuquerque School, N. Mex., \$750 per annum.

The United States Civil Service Commission announces an examination on January 12, 1904, for the purpose of establishing an eligible register for the position of electrolyte molder in the Government Printing Office, Washington, D. C.

Why he came back: Van Quis—"I heard you had concluded to live in England altogether. Mr. Chumpepp!" Chumpepp—"Chumpepp—" "Aw, that was—me intention, don't ye know? But swiftish me visit in London, I find that we're evah so much maw English in America!"—New Orleans Times-Democrat.

DAILY PROGRESS TOWARD WAR IN THE FAR EAST

Japan Outbids Russia for the Two Formidable Argentine Cruisers.

Russia Places Heavy Beef Order in San Francisco—Declines to Evacuate Manchuria—Japan Agrees Upon Railway and Military Loan.

(ASSOCIATED PRESS CORRESPONDENCE.)

SAN FRANCISCO, Dec. 29.—Contracts have been placed here by the Russian Government for three million pounds of mess beef.

TOKYO, Dec. 29.—The Privy Council has approved the issue of debenture bonds to the amount of ten million yen for expediting the construction of the Seoul-Fusan railroad and providing for possible military expenses.

PEKING, Dec. 29.—The Russian Minister has notified the Chinese government that it is not Russia's present intention to evacuate Manchuria.

LONDON, Dec. 29.—Japan has outbidden Russia for the purchase of the Argentine warships.

The two vessels which Japan acquires from the Argentine Republic are the *Moreno* and the *Genoa*, armored cruisers, one of which has been completed. The *Moreno* was launched nearly a year ago at a Genoa shipyard. Her keel was laid March 14, 1902, and her builders secured a large bonus by completing the vessel eighteen months after the contract was given. The ship was sold now owing to the disarmament agreement between Argentina and Chile. The two armored cruisers are of the "Garibaldi" type, an improvement on the Spanish cruisers destroyed by the American vessels in the Battle of Santiago, July 3, 1898, and are of 7,700 tons displacement, 13,000 horse power, and twenty knots speed. The armor belt, extending all around the ships, is 5.8 inches to 3 inches in thickness, and the battery of each vessel is composed of one ten-inch gun, fourteen six-inch, and ten fourteen-pounders. The ships are fitted with the old type of Scotch boilers.

MINISTER BEAUPRE IS BACK FROM BOGOTA

COLON, Dec. 29.—U. S. Minister Beaupre has arrived here on his way home from Bogota on the flagship *Olympia*.

COLON, Dec. 29.—Admiral Coghlan was given a friendly greeting at Cartagena and exchanged visits with Governor Bolivar.

SENATE PLANNING A GIGANTIC NAVAL FORCE

WASHINGTON, Dec. 29.—The Senate Naval Affairs Committee is planning additions to the Navy which will make the United States the second naval power of the world.

NEARING ANNEXATION.

SAN DOMINGO, Dec. 29.—Another revolution has broken out at Azua, resulting in two provisional governments besides the regular one, as yet unrecognized by the great powers, established here.

THE BLUEFIELDS BANANAS HERE

The Bluefields bananas ordered by Director Jared G. Smith for the Territorial Board of Agriculture arrived Friday on the *Alameda*. Many of the plants are in bad condition and they are being given a thorough overhauling by the Territorial entomologists. Five hundred cuttings were shipped but it is not known how many of these will be fit for planting. None of them are to be given away, but they will be cultivated for a later distribution.

A warrant was issued yesterday by the California Feed Company for the arrest of John Bryant, who is alleged to have collected a bill of \$22.00 for the company last Thursday, since which time neither the collector nor money have been seen by the Feed company.

The Maui Republican organization has signified that A. N. Kepoika is its first choice for Judge of the second Circuit, with J. Lot Kaulukou second and Lyte A. Dickey third.



COUNTY ACT TEST CASE GOES TO SUPREME COURT

Summons was served yesterday in the quo warranto suit of the Territory of Hawaii against the Supervisors of the County of Oahu, returnable at 6 p. m. the same day before Judge De Bolt. The First Circuit Judge held court at that hour, when the respondents presented an answer to the petition. J. A. Matthewsman and C. R. Hemenway appeared for the Territory, and County Attorney W. T. Rawlins and A. S. Hartwell for the Supervisors.

Petition and answer were submitted without argument, whereupon the court rendered judgment pro forma dismissing the petition. An appeal to the Supreme Court was noted on behalf of the Territory, which was forthwith perfected. The hearing and determination of the appeal now only await the convenience of the Supreme Court, which being under adjournment until January 11 may hold a special sitting for this emergency case.

Herewith are printed the answer of defendants and the judgment of the court in full excepting the titles:

DEFENDANTS' ANSWER.

In answer to the plaintiff's petition in the above entitled cause, the defendants severally answering, say:

1. That these defendants admit that each and every fact averred in the plaintiff's petition is true in manner and form as therein stated and set forth and that their sole authority for acting as Supervisors of the County of Oahu is under and by virtue of the provisions of Act 31 of the Session Laws of 1903, and that the defendants have been elected as Supervisors of the County of Oahu in conformity therewith.

2. That these defendants deny that the said County Act, being Act 31 of the Session Laws of 1903, is invalid or in contravention of any of the provisions of the Organic Act of the Territory or unauthorized thereby, but these defendants aver and submit that the said County Act is a valid exercise of the grant of legislative power made to the Territory of Hawaii in and by the said Organic Act of Congress, being an Act entitled "to provide a government for the Territory of Hawaii," and that the said County Act in all respects conforms to the requirements of said Act of Congress.

3. That the said Organic Act expressly declares in Section 55 thereof, "that the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States locally applicable," and that none of the provisions of the said County Act are inconsistent with the Constitution or with any law of the United States locally applicable.

4. And further, that the said Act of Congress expressly declares in Section 55 thereof "that the legislature may create counties and town and city municipalities within the Territory of Hawaii and provide for the government thereof," and that each and every provision in said Act contained in respect of appointive public boards or appointive territorial officials having the care and custody of public property or otherwise howsoever is necessarily qualified and modified and to be deemed as subordinate to the general authority therein granted for creating and providing for the government thereof.

5. That this Court having decreed in effect that the provision in said County Act providing for a Board of Public Institutions is invalid and of no effect, there is now in legal effect but one subject contained in said County Act and that it does not follow that said County Act is invalid in any other respect than in respect of the said provision for a Board of Public Institutions, but on the contrary, that the said County Act is valid notwithstanding said provision therein contained and now declared to be void.

6. That the requirement of said Act of Congress that the final passage of a bill in each house shall be by a majority vote of all its members to which such house is entitled, taken by ayes and noes and entered upon the journal, is merely directory and is not imperative and that such requirement may be waived by either house and when not complied with is conclusively deemed to be waived, and further, that the said County Act having been signed by the proper officers of the Legislature and approved and signed by the Governor of the Territory, the alleged fact of the failure to take the ayes and noes thereon cannot now be set up or inquired into as a ground for declaring said Act to be invalid.

Wherefore, the defendants submit that they are entitled to a judgment or decree declaring that they are qualified and legally authorized to perform the duties of Supervisors of the County of Oahu in conformity with the provisions of Act 31 of the Session Laws of 1903, entitled "An Act providing for the organization and government of Counties and Districts and the management and control of public works and public institutions therein," notwithstanding any matter or thing in the plaintiff's petition stated or set forth, and that the plaintiff's petition be dismissed with costs.

J. A. GILMAN,
M. P. ROBINSON,
JOHN LUCAS,
A. HOCKING,
FRANK R. HARVEY,
J. M. KEALOHA,
S. K. MAHOE.

Signed by W. T. RAWLINS, their attorney.

Upstairs: "Fifteen two and a pair make four," said Subba, who was playing cribbage with Poppy. "What have you in your crib?" "Ah," replied Poppy, absent-mindedly, "just the sweetest little coconut tarts and girl in the world."—Philadelphia Press.

CHRISTMAS DAY.

The glow of the Christmas season to-day is spread over all the earth. The dead turkeys and geese have finished their labors and are at rest. The living gobblers swell and the living ganders strut, attended by their surviving consorts, with an apparent consciousness that, unless caught up on the Fourth of July or Thanksgiving Day, they may last for another year. The mince meat has been made and seasoned. The plum-puddings are ready for their baptism of heat. Mouths are already watering for the good things that specially agitate the young, but even in middle age and in the satiated period of life, arouse desire and expectation. Bright eyes are glittering over the gifts of Santa Claus and Kriss Kringle and gazing towards the kitchen. Even in the open air, under hedges, and in the dingy holes, where poverty breeds and occasionally hopes, the great feast of the year is in progress.

These statements are correct enough for their purpose, but they are only approximately true, for the parenthesis of time encircles the globe and Christmas travels with the hours, although it is not dropped even at the equator. It is, however, so far different to other festivals that it is as nearly universal as, under terrestrial limitations and activity, anything can be; and its shining belts of good-will, of happiness and of plenty, move through every degree of latitude and longitude. As these lines appear in print, in some places the Christmas dinner is rapidly vanishing and indications of surfeit are apparent, while, in other spots, the children have barely suspended their stockings and are wide awake in bed. But, everywhere on earth, perhaps in other spheres, the Christmas spirit is abroad and the heart of Man vibrates to the sound of harmony. Even Pagan lands are not beyond this beneficent annual visitation that, for more than nineteen centuries, has inspired the human race.

Ebenezer Scrooge has repented for the nineteen hundredth and third time, and is fingering his money about in the ecstasy of his recovered manhood. For the nineteen hundredth and third time, Tiny Tim has exclaimed or is about to exclaim: "God bless us all." Trotty Veck once more has awakened or will soon awaken from his vision of the Spirit of the Chimes, to see Richard half smother Meg with kisses. Mrs. Chickenstalker, it may be safely assumed, has already mixed and tasted the toothsome flip and, again and again, will renew her familiarity with that humanizing stimulant, before the day is gone. Caleb Plummer is again pouring false descriptions of the beauties of his poverty-stricken abode and pretending to be gorged with delicacies, while the water stands in his eyes, and his blind daughter yields to his wild imagination and drinks in faith as the equivalent of fact. Little Dot, or Mrs. Peetybingle, as she prefers to be called, with the third chirp of the cricket, has emerged or is about to emerge from her innocent mystery, without shame and worthy of the purest tenderness. For, it must be noted, that all these characters and many others whom Christmas has ennobled, have existed for nineteen hundred and three years, and Dickens only concentrated and beautified their variations of the same ancient story.

Christmas bells are chiming the message from the Manger and the Cross and keeping time to the motion of the sun. Health and sickness, gladness and sorrow, freedom and slavery, infancy and age, in every clime, in every condition, unite in the Christmas chant. Hospitals and prisons are visited. The harshnesses of life are relaxed. Worshippers crowd the churches. The world is clothed and fed. Harmony pervades the human breast. Wickedness at least affects virtue and evil shrinks out of sight. The loud roar of material progress is hushed. War smoothes its wrinkled front. For one day at least, the softening influences are ascendent, and they will not be buried in the shroud of night. All this transformation is due to the low note of love that was in the first cry at Bethlehem, that was repeated at Calvary, and that has swelled into the anthem of rising fraternity.

OAHU COLLEGE WILL HAVE MANUAL TRAINING SCHOOL

The plans for a Department of Manual Training at Oahu College have at last taken definite form in the offer of the position of instructor in Manual Training and Drawing to Mr. F. L. Hadley of Fort Collins, Colorado. The Trustees have taken great pains to get a man who exactly meets the needs of the situation; in Mr. Hadley they have secured one who is well equipped to carry on the work. He is a skillful mechanic and a trained teacher who is at once familiar with the theory and the practice of his craft. He has studied the industrial and educational side at the New Hampshire State College of Mechanic Arts and at the Massachusetts Institute of Technology. In both of these institutions, his specialties were in wood and iron working and engineering; in addition, he has had a varied experience in practical wood and iron work. He comes to Oahu College from the Colorado State College of Agriculture and Mechanic Arts where he has been teaching. He is highly recommended; the President of the Colorado College expressed the greatest regret at the possibility of losing him.

The trouble with Pearl Harbor is that little capes or spits run out into the entrance channel making the navigable part look on the map like a corkscrew. It was upon one of these projections that the Iroquois lately ran aground. Until the channel is made straight Pearl Harbor will not be useful to the Navy, but as this strategic point is all-important it may be assumed that Congress, at the instance of the Navy Department, will supply the dredging funds.

The Olympia and Atlanta under command of Rear Admiral Coghlan, are off for Cartagena, the principal port of Colombia. Their presence is evidently needed there to convince the southern republic that the United States is not playing a burlesque at Panama. Possibly the sight of their long guns will have a quieting effect on the turbulent Colombians who seem to regard the Yankees as an easy mark.

Hanna on one side and Parker on the other is the latest ticket discovered by the newspaper partisans of neither.

FRIEND OF KALAKAUA Oregon's Commander Here in 1887.

Captain W. T. Burwell, of the battleship Oregon, was in command of one of the American war vessels in port during the revolution of 1887, the first of the revolts against King Kalakaua by his people. Captain Burwell has a fund of interesting stories regarding his visit during those stirring times when he became one of the King's intimate friends.

"These were busy days," said the gallant captain to an Advertiser reporter. "I used to take my men out every day for a drill through the streets. The people wouldn't let us spend a cent. Telephones were run out to the ships in the harbor and the telephone girls were kept busy calling up the officers aboard. It got to be very much of a nuisance."

"I remember one incident of the 1887 revolution, particularly well. One night after midnight, King Kalakaua came out to my ship in a boat in a great state of excitement. After much effort he succeeded in awakening me and I came out, not in the best of temper for being so suddenly roused out of my sleep. But Kalakaua couldn't be resisted. He told me then the reason for his midnight journey. It seems that some one had posted a placard on the palace gates threatening to kill the king. Kalakaua wanted me to land my men immediately in order to prevent the threatened assassination. 'Oh, phaw,' I told him, 'that isn't the way men go about it when they intend to kill some one. They don't threaten to kill a man and warn him first. Generally they kill him first and tell about it afterwards.' Kalakaua wasn't to be pacified by any such talk, and he insisted on being protected from the men who had threatened his life. I finally told him that the best I could do was to take him to the American consul and so we finally went and awakened him. The king repeated the story he had first told me. The consul didn't like to be routed out any better than I did, and was inclined to be a little angry at first. Finally he saw the humor of the thing too, and between us we managed to quiet the king and assure him that he wasn't in any danger."

"King Kalakaua was the most hospitable man in the Islands and our officers never lacked for anything while we were in port. We were always welcome at the palace and whenever anyone needed any thing special in the way of refreshment, a visit to the palace was all that was necessary. Iauka, the King's chamberlain, had champagne in plenty and there used to be frequent visits to him."

Captain Burwell also told of the King's fondness for cards and related one incident when Kalakaua played in a little game of poker at the boat-house for a stretch of forty-eight hours. The late Paul Neumann and a local supplier of provisions to ships were in the game with the King, which Captain Burwell was invited to join. The King insisted that the game would be as novel a one as he had played in, with a king, a lawyer, a butcher and a naval officer holding hands.

The revolution of '87 was the one in which a mass meeting of the citizens of Honolulu insisted upon and obtained a more liberal constitution. The revolution of 1889 was the one headed by the late Delegate R. W. Wilcox. Quite a number of the officers on the ships of the fleet were in Honolulu at various revolutionary periods.

CRISTMAS DAY OAHU PRISON

Warden Henry has arranged a splendid Christmas day for the inmates of Oahu Prison. In the morning there will be special services to be followed by a big Christmas dinner at noon. Fig, roasted whole in Hawaiian style, fish, fruits and other delicacies of the season will be on the Christmas menu for the prisoners.

The program for the services will be as follows:

"Hark! The Herald Angels Sing."—Hymn No. 220. Congregation.

Scripture Reading..... Luke 2, 1-14 In Hawaiian, Spanish, Chinese and English.

Prayer..... Rev. J. H. Behrens "Greeting to our Friends"..... B. B.

Duet: "My Father Knows" Mrs. Behrens and Mrs. Lyle.

A Few Remarks..... Y. M. C. A. Vocal Selection: Solo.

Miss Lorene Colcord.

Recitation..... Master Teddy Tracy Vocal Selection: Solo. Miss Hazel Lyle Address..... Ensign Underhill, B. A. Christmas Carol: "The Ika Ka Anela" O. P. Glee Club.

Address..... Rev. J. H. Behrens "Sweet Bye and Bye" B. D. A. C. Quartette.

Voluntary Testimonies.

Invocation.

"The Holiest Name"..... Hymn No. 197 Congregation.

"Of course, there is considerable difference between the hotels conducted on the European plan and those on the American plan." "Oh, yes! On the European plan you merely pay for what you want, and—"

"And on the American plan you pay for what you don't get."—Philadelphia Ledger.

FINE SCHOOL WORK FOR ST. LOUIS

Miss Rose Davison, school agent for Honolulu district, has a large portion of the school exhibit for the St. Louis Exposition arranged at the Education office so that friends of education and parents of pupils may have a view before the packing.

Kalulani school, Honolulu, exhibits a fine assortment in the various work—sewing, bead work, lace-making, plaiting, embroidery. It also has photographs of pupils at study, in different grades, so clear that the eyes on the blackboard are visible. Then there are sets of studies of local industries, such as rice, sugar, sisal, taro and also with photographs of field and also examples of the natural growth.

Kaahumanu school, Honolulu, has a telling series of photographs illustrating an array of outdoor games, games in session. Of industries there are fine specimens in the way of feathers, work in the States, Hawaii, etc. are displayed in nature, by young pupils. A number of years chooses the Stars and his effort. One of the stars is of the Hawaiian, embellishing an essay in imaginary autobiography in half-dollar.

The Royal school, Honolulu, has a collection of excellent text books, shows pretty such as kukui nut carving, walking sticks, boys, etc.

There are seed collections from the Kaahumanu school, all of its nature study contributions. The 105 samples of polished stones suitable for manufacturing the Normal school, have previously mentioned. This institution has cushions of bamboo and banyan trees.

The High school, Honolulu, has a striking collection. It consists of series of essays on prominent all of the principal hotels, schools, together with some of the business edifices—each one bearing a photograph of its subject and many of them being tastefully decorated by hand. There are other specimens of nature studies. One on a butterfly, for instance, with a color photograph by a little girl, which will not discredit a holiday product by a large publishing house. The penmanship of the High school grades, as well as neatness, is of a high order.

From different city schools come weaving of vegetable fibers in all its stages by boys and girls, in fans, hat bands, wall pockets, etc.

The Hiles, Kau, Hawaii, school sends a fishing net of large size made by pupils.

Fine handkerchiefs made by the girls of the Industrial school, Honolulu, are shown with fancy and drawn work. A dressing case is one article exceedingly well done.

Kalihi-uka, Oahu, school, has excellent drawn work in its exhibit.

Keokea, Maui, school gives fine hand-drawn in fans and cushions. Kaapala school on the same island, sends excellent leather work and plaiting.

A music chart executed by pupils at Honolulu, Oahu, is noteworthy.

Nine Miles, Oahu, Hawaii, contributes a sewing sampler made by four boys. A jacket from Maemae, Oahu, school is another specimen of needlework by male pupils. Boys as well as girls are taught sewing in Hawaiian schools.

There are cases and cases of material from schools in town and country not yet opened. Enough is exhibited already, however, to dispel any doubt that Hawaii will more than sustain at St. Louis its brilliant educational record won in previous world's fairs.

BIDS FOR VARIOUS PUBLIC WORKS

Bids were opened for the below-mentioned structures at the Department of Public Works yesterday as follows:

Waialeale Industrial School building—

F. W. Knight.....\$ 8,892
McDonald & Langton.....10,185
H. F. Bertelmann.....10,184
J. H. Craig.....10,689
J. F. Bowler et al.....12,345
Dwelling house at Waialeale Industrial School—

H. F. Bertelmann.....\$ 6,983
McDonald & Langton.....7,700
J. H. Craig.....7,829
J. A. Ahong.....7,874
Constructing concrete abutment Waialeale bridge, Kauai—

Cotton Bros. & Co.....\$ 4,200
Lord & Belser.....5,165
L. M. Whitehouse.....5,400

EXECUTIVE TALKS HELD YESTERDAY

Governor Carter held the usual consultations yesterday with Superintendent of Public Works Holloway, Commissioner Pratt and Auditor Fisher. The subject discussed with Holloway was that of loan fund expenditures.

Mr. Pratt reported the Kaula boundary case as held for decision, also gave a report of his office of the island of Hawaii, the portion of which have been sketched and the Advertiser.

The Government has been told by B. F. Dillingham that Kahooleawe leasehold interest in Hawaiian Islands.

Helping the Army.

There was a meeting of the Republican District Committee of Maui at Wailuku on Monday. While the delegates are mum as to the proceedings, still it has leaked out that the object of the meeting was to assist the Home Rule office in securing bonds.

Maui News.

THE ASIATIC FLEET IS UNDER SAILING ORDERS

The fleet is under orders to return to the Asiatic station Tuesday morning at ten o'clock. Admiral Evans received orders yesterday morning from the Navy Department for sailing on Monday at noon, but these were afterward changed to Tuesday morning.

"Orders came this morning to return to the Asiatic station," said Admiral Evans to an Advertiser reporter at the Young Hotel yesterday afternoon. "The fleet will sail together. No orders have been received detaching the Albany to return to Bremerton for an overhauling, and the fleet will sail just as it came. The colliers will precede us. The Solace sails independently of the fleet. The stores are being taken off her now and we expect to get everything on the vessels of the fleet by tomorrow.

"The orders are to return to the Asiatic station. We will go from here to Cavite. Captain Clover, who is to take command of the Wisconsin, will sail in the battleship from here as a passenger. The vessel will be turned over to him at Cavite.

"The stores will be taken from the Alameda as soon as she gets in and we hope to have the transfer of stores completed by Saturday."

PLEASED WITH HONOLULU

"My stay here has been charming—delightful," said the Admiral. "This is one of the most beautiful places I have ever had the good fortune to be in, and I never received such cordial hospitality in my life before, as I have experienced in Honolulu the past ten days. The officers and men of the fleet say the same thing.

"I have been here twice before. Once on my way to Pago-Pago to sit on a courtmartial of Captain Tilley and about two years ago. It seems to me as if there had been a steady, healthy improvement in the city, which I am very glad to see. I have met a great many very nice people and have had a most delightful visit. It would take too long and too much space in your paper to tell just what I think of Honolulu and its people."

TRANSFERRING STORES.

The Solace brought five hundred tons of stores for the fleet, the major portion of which were transferred to the various vessels yesterday. Admiral Evans expects the work to be finished today. Orders were issued first to transfer the ammunition from the Solace, but this order has been countermanded and the naval transport will carry it to Cavite.

ENTERTAINING THE PUBLIC.

The reception to Honolulu society to be given by the officers of the fleet on Saturday night will be from eight to eleven o'clock. The reception will take place on the Kentucky and the Wisconsin and there will be dancing on both ships. The battleships and probably the cruisers will be illuminated for the occasion. Supper will be served to the guests on the decks.

MAY CAUSE FLEET TO REMAIN LONGER.

Governor Carter and the Merchants' Association both sent cables to Washington yesterday requesting that the stay of the fleet be lengthened. It is the expectation among navy men that there may be a change in the orders so that the vessels may remain here until after the holidays, as there is no necessity for haste. Neither Governor Carter nor President Smith have received replies from their cablegrams but this is not to be wondered at, as the messages could not have reached Washington until after business hours yesterday.

Governor Carter's message, which was sent at noon to the President, is as follows:

"President, Washington. Citizens highly appreciate visit American squadron and its importance to Territory socially, politically and every other standpoint. Universal request is made and I heartily join in urging that squadron's visit may be prolonged beyond the New Year."

"CARTER,

Governor.

"Honolulu, December 24, 1903."

The Merchants' Association cable was addressed to the Secretary of the Navy and is as follows:

"The citizens of Honolulu, deeply appreciative of the squadron's presence in this harbor, respectfully request that the Secretary of the Navy withhold sailing orders to the fleet under command of Admiral Evans as long as possible after January 1st, to permit of the completion of the program for the entertainment of the Admirals, officers and men."

The Merchants' Association of Honolulu.

By its Vice-President,
GEORGE W. SMITH.

W. H. MOODY, ESQ.,

Secretary of the Navy.

As the fleet is only under sailing orders the change can be made by the department without making any trouble for the fleet. Admiral Evans will, however, be prepared to sail on Tuesday under the present orders.

SHOT IN THE LEG IN A DRUNKEN QUARREL

A drunken quarrel yesterday afternoon in a Hawaiian named Mauna was shot in the right leg by a relative named John Edwards. The wounded man is now under treatment at the Queen's Hospital. Edwards, his assailant, occupies a cell at the police station. When the result of the wound is known a charge will be entered against Edwards.

Mauna lives in a small house in Nuuanu, near the brickyard. The quarrel broke out considerably all afternoon and became engaged in an altercation. Arguments were succeeded by blows. Edwards claims that Mauna charged upon him and struck him with his fist.

Mauna was off for a while but returned to the fight in his hands. He was shot in the right leg by Edwards. The wound is not serious.

In the meantime Edwards had procured a revolver which he pointed at Mauna as he advanced. Edwards claims he intended only to frighten the native, but at any rate, while the gun was leveled at Mauna, he pulled the trigger and the ball, a .32-caliber, struck Mauna in the right leg about three inches above the knee. The bullet passed through the fleshy portion, making its exit without breaking any bones. Mauna then gave up the fight.

A telephone request for police assistance was sent to the police station and the patrol wagon was sent. Neighbors meanwhile turned to the house of Jack Kalakalela, receiving clerk at the police station, and notified him of the shooting. Kalakalela went to the scene of the fight and held Edwards prisoner until the arrival of the patrol wagon.

GILLMORE'S EXPERIENCES WITH THE TAGALS PROTECTION OF RECORDS

Executive Officer of Cruiser Cincinnati Was Captured in the Philippines and Narrowly Escaped Execution In Wilds of Luzon.

Three years ago today a party of eight ragged, half-starved men, accompanied by a large number of American soldiers were shooting down the rapids of the Abulug River in the northern part of the Island of Luzon. They were on their way to the town of Aparri where soldiers of the United States army awaited them. The eight ragged men were headed by Lieutenant-Commander J. C. Gillmore, now the executive officer aboard the United States cruiser Cincinnati lying in the harbor of Honolulu, and they had just been rescued from the Philippines after enduring eight months' captivity among the savage tribes of Luzon.

The story of Commander Gillmore's capture and captivity was one of the most dramatic features of the early part of the war in the Philippines. During this time the officer was believed to have died or been executed by his savage captors, but he and his companions, mostly men of the gunboat Yorktown, withstood the rigors imposed upon them and faced death often without flinching.

One of the most interesting relics of Lieutenant-Commander Gillmore's long captivity is the bowl and spoon which he used in this time. Both are aboard the Cincinnati and are a practical demonstration of the old adage that "necessity is the mother of invention." The bowl is the third of a coconut and the spoon is but a strip of coconut shell with a natural bowl. Most of the food which the captive was able to procure during his captivity was eaten from this bowl.

Mr. Gillmore had just been attached to the gunboat Yorktown when the vessel was ordered to Baler, a town on the eastern coast of Luzon where a small Spanish garrison had been leagued by the Filipinos for a

white flag was hoisted by Gillmore's men. The savages came running down to the boat and took out the living and wounded. All were stripped of their clothing and valuables, lined up on shore, with arms plucked, and then they found they were to be shot. An executing party lined up before them, took aim and were about to fire, when an officer interfered.

Then began the march to the interior. The fatigued and desperately wounded men were marched past Baler in the direction of Puntabana. They were put in a bamboo church and a friendly Tagal put balm on the wounds of the Americans.

Aguinaldo ordered the prisoners conveyed to St. Isidro, the insurgent capital, and eight men composed the captive party which set out on this hard journey. They wore scarcely any clothing and had no shoes. They had to wade in swift streams with tortuous, rocky beds, which cut their feet. The sun gave them frightful pains in the head, but they were urged on unceasingly. They had little to eat. The trail led through a primeval forest, always upward to where it was cold and wet, and the journey soon became a nightmare. Forty miles of this brought them to Puntabana. The savages everywhere surrounded the "Americans" eager to see the faces of the first white men ever brought there. A former Spanish officer at this town gave them second-hand native hats to add to their scanty wardrobe. Then the journey was again taken up. Thousands of people met them at St. Isidro and hooted and jeered at them. The quarters given to Gillmore were filthy and he had to make room for thieves and murderers and all manner of Filipino riff-raff.

Then followed weary marches over Luzon from jail to jail. Filipino officers often brandished daggers over the men, but when these stood bravely without flinching, their braggadocio fell flat. At one time there were 600 Spanish prisoners on the march with Gillmore, and these were brutally treated by the Filipinos—"paying on old scores," as the captors explained. While at Vigan, Gillmore was a



Gillmore and his boat crew lined up on Luzon shore to be shot by the Tagals.

It was the intention of the Yorktown to raise the siege. It was decided to send Ensign Standley and quartermaster Lysac ashore to reconnoiter. On April 11, 1899, a boat with the accounts was sent away from the warship at 4 a. m. in charge of Lieutenant-Commander Gillmore. The boat crew was composed of Chief Quartermaster Walton, Sailmaker's Mate Voudott, Coxswain Ellsworth, Gunner's Mate Nygard, Seamen Rynders, Woodbury, Briscoe and McDonald, and Landmen Dillon, Morrissey, Edwards and Anderson, and Apprentices Venville and Peterson. The oars were muffled, and the boat was steered into a cove and the accounts landed.

The officer thought the Filipinos on guard had been outwitted when suddenly dawn shed a light over the boat and heavily wooded country, exposing them to view. The boat was dropped gently down toward the open water when suddenly a volley was poured in on them by the Filipinos. It was an ambush. Morrissey was shot through the head and killed. Dillon was struck in the eye and killed. Rynders, with his hands on his ears had the fingers of one hand severed, but he kept on rowing. Walton and Voudott were working the Colt maxim, when a shot severed the ammunition tape and shattered the box, rendering it useless. McDonald and Nygard fell mortally wounded. Blood was everywhere on the boat and men were falling at their oars.

Gillmore reached for a rifle but a bullet had hit the lock. Venville started to fix it when a bullet went through the flesh of his neck. "I'm hit, Mr. Gillmore," he said. He went on fixing the gun. A second ball plowed through his breast. Another cut a furrow in his forehead. He wiped the blood from his eyes, remarking that he had again been hit. Then finally a ball smashed his ankle, but he had fixed the gun and handed it to Gillmore. This was a boy seven-

teen years of age, and never before, under fire.

With the men at the thwarts knocked away Gillmore became a target, but was not hit, although bullets whistled past his head frequently. There was no cessation in the firing, and finally a "commencement" for three months. He passed the time in one room. The only spot he could really call his own, was the mattress on which he slept. The natives sat and watched him through the day in idle curiosity. They were always interested when he bathed behind a mantle which he hung up in one corner.

At this time General Tino, a remarkable man, was in command at Vigan. He was 23 years of age, and looked like a winsome boy. But his rule was one of iron, he was cruel, implacable, a tyrant and a military martinet. He terrorized the natives. He was ambitious and wanted to be a second Aguinaldo. Tino hated the Americans and but for the influence of the local president, Gillmore and his companions would have been shot. At Benquet, Gillmore had a cell viler than any before. The roof leaked, the walls were green with mould and huge rats infested the place.

The prisoners, other than Gillmore, during this time earned a little money by teaching classes in English. Then Gillmore and his companions were cheered with hope of release when the Americans bombarded Vigan, 25 miles away. Then began preparations for the fight of the "Millers." A reign of terror prevailed among the prisoners. The pass between Vigan and Benquet had been fortified and the Filipinos believed it to be impregnable.

On December 5, the Americans forced the pass. They were under Col. Hare and Lieutenant-Col. Rowe. Tino fled to the hills with a handful of men and panic seized all Benquet. In an hour from the receipt of the news of the American victory Gillmore and his companions were taken from the prison and assembled in front of the prison. General Nativid addressed the

LIEUT.-COMMANDER J. C. GILLMORE, U. S. N., Executive Officer of the U. S. S. Cincinnati.

Tagal Lieutenant in charge as follows:

"If you have any trouble with your prisoners, bring them back to Benquet; we'll then quickly settle them." Gillmore and his fellow captives knew too well what this meant.

Then they began a march heading for the mountains. Their guards appeared to have completely lost their heads. There was a jabbering rout of men, women and children, as the column of refugees and prisoners was hurried on. While crossing a stream on horseback Gillmore nearly lost his life owing to the ignorance of a leading Filipino whose horse was swept off its feet.

When possible the party made chalk marks on rocks and trees with an arrow pointing in the direction they were going as a guide to the troops in pursuit. In the party was a civilian, an agent for an American brewery, who had been captured in the outskirts of Manila. He took the whole matter as a joke. Everywhere he could find a blank space, he wrote, or had written for him in big white letters, "Drink Blank's Beer on the Road to H—". Gillmore afterwards learned that these roadside inscriptions greatly aided Col. Hare and his men in tracing the party. The first time Col. Hare saw the beer man's legend upon a rock he exclaimed: "Very well, I will follow Gillmore and his party to H— if necessary." He came very near doing it.

Finally the party reached the wilds of Luzon. They entered apparently inaccessible chasms. The horses were killed for food and they finally had to crawl on hands and knees in places. On December 15 they reached the pin-barrens at the top of the mountain range. Two of the Americans were overtaken by fever. Gillmore begged the Tagal officer to let some one remain behind with them.

The officer finally said if they could not go ahead they would be shot. The Americans looked at one another and they determined to make a last stand, although unarmed. They gathered around the invalids. The officer made a motion with his right arm and they thought their time to die had come. But the lieutenant was taken suddenly ill with fever and the arm motion was made as he plunged forward to the ground.

After a few days march an order came, presumably from Tino, to execute the prisoners. Then the lieutenant said his conscience would not permit him to do so. He would, instead, abandon the party to shift for itself. Lieutenant-Commander Gillmore believes that the lieutenant's decision was reached for the following reason: He had asked: "The Americans are not Christians?" "Yes, they are," replied Gillmore. "But you never wear crucifixes."

At that Gillmore opened his shirt and showed him his breast. A crucifix had been tattooed there when he was a midshipman. The Tagal was surprised, and instantly crossed himself. Gillmore told him any one could have a crucifix to wear around the neck, but he had endured pain to have the crucifix imprinted in his flesh.

The day they were abandoned they had no breakfast. Being near a mountain torrent they constructed rafts of bamboo and made ready to depart. They went down the river and came upon more savages. They rested overnight, believing that they would surely die in the morning.

Then they heard a yell, and then another in a tongue that was strangely familiar. The yell came from Col. Hare's men who had at last found them. Then there was feasting on bacon, hardtack, bean soup and tea.

On December 18 the entire party set forth on the river journey on rafts and finally reached Aparri. The first week in January they were in Vigan and soon were again aboard an American warship.

A TIMELY SUGGESTION.—This is the season of the year when the prudent and careful housewife replenishes her supply of Chamberlain's Cough Remedy. It is certain to be needed before the winter is over, and results are much more prompt and satisfactory when it is kept at hand and given as soon as the cold is contracted and before it has become settled in the system. In almost every instance a severe cold may be ward off by taking this remedy freely as soon as the first indication of the cold appears. There is no danger in giving it to children for it contains no harmful substance. It is pleasant to take—both adults and children like it. Buy it and you will get the best. It always cures. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

Vault for the Judiciary Department Almost Completed.

It was intended to have moved the valuable records of the Judiciary Department into the fireproof vault just constructed yesterday, but Chief Justice Frear decided that the interior of the vault should first be plastered. The transfer of documents was therefore postponed.

The Chief Justice considered there was danger that insects would work through the seams of the brick walls and attack the contents of the vault. Plastering would prevent this. It has been suggested that an admixture of corrosive sublimate, or other poison, in the plaster would be a still further assurance. There may be danger of insects being introduced in the old wooden cases, which might be averted by some process of fumigation.

There will not be room for all of the court records in the vault, which only occupies the space of a former passageway between the main corridor upstairs and the rear balcony of the Judiciary building. Therefore, first preference in storage will be given to records pertaining to title, such as original wills, the old record books of the Supreme Court back to the foundation of the Hawaiian Judiciary system, etc. If there were means available to provide modern filing cabinets, it would greatly economize space. As it is, the cumbersome old wooden cases are to be placed in the vault. The appropriation is so scrupled, indeed, that the plastering of the interior has to be done on credit.

An old law prescribed that original wills and documents relating to title, belonging to the country districts, should be sent to Honolulu for safekeeping. But, as there has not been any fireproof repository for such papers in Honolulu, the law has been treated rather as a dead letter. It will henceforth be respected. The vault has floor and ceiling of concrete supported with angle-iron. One side and two end walls are of brick, the other side wall being the old party-wall of concrete between the passageway already mentioned and the clerk's office. In view of considerable talk of late about changes in public buildings, the structure is a fairly good makeshift for the present.

GOVERNOR CARTER MAY BE DELEGATE

The Republican Central Committee received word by the Alameda's mail that Hawaii is allowed six delegates to the Republican National Convention. Formerly this Territory has had but two delegates.

Governor Carter will probably head the delegation at Chicago. He stated yesterday that he would like to go, and this is all the Territorial convention will want to know, doubtless, to make the Governor's election spontaneously unanimous. The convention elected by last year's primaries will be convened for electing the delegates. It has until May 21 to act. Six alternates are also to be chosen.

Besides the Governor, Senator Clarence L. Crabbe and District Attorney R. W. Breckons are mentioned as probable choices. Governor Carter says that, as Governors of big sovereign States go as delegates to national conventions, there could be no impropriety in the delegateship of the Governor of the little Territory of Hawaii.

SCHOOL EXHIBIT MAY GO ALONE

Possibly the only exhibit Hawaii will make at St. Louis will be that of the Board of Public Instruction. Governor Carter, speaking to members of the press yesterday, said he would have a consultation with Commissioner Macfarlane and business men soon after New Year's to decide on the whole matter.

Personally, the Governor was in favor of limiting the exhibit to that of the educational department, which ought in his opinion to bring the entire expenditure within \$5,000. It was a very excellent display and should stand well in the competition for prizes. Besides, as it would have space in the Educational building, the exhibit would be the Territory's "best foot forward."

SPECIAL SESSION NOT YET A TOPIC

It was arranged yesterday, at a conference held with the Justices of the Supreme Court, by Messrs. Mathewman and Hemenway for the Territory and Hartwell for the Supervisors of Oahu, that the County Act test case should be heard on Wednesday next. This will give about a week of business days before January 4 for rendering a decision.

Governor Carter, when asked yesterday whether a special session of the Legislature would be called should the Act be declared void, answered with the old proverb against crossing a bridge before coming to it. He added that premature conclusions were apt to meet with reversal.

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THE MESSAGE OF THE BELLS

BY RALPH TURNER

I.

Near the portals of a temple where the wealthy Pharisee Prays to God, yet worships Mammon with a blind idolatry. In the steeple's dim shadow lying black upon the snow. With two babies, famished, ragged, sobbing, crying to and fro. Kneet a broken-hearted mother on a moonlit Christmas night. Wan and chilled and hunger-haunted, vainly praying for the light. For a light that never had glimmered on her shadowed path. For the very God she prayed to seemed to veil His face in wrath. While the faith pledged at the altar faltered, halted, dropped and died. As the sordid brute she mated drifted drunken down life's tide.

II.

From the liquor merchant's mansion just across the moonlit street. Came the sounds of mirth and music, voice and viol blending sweet. And the kneeling martyr murmured: "Lord, they know not what they do. Know not that men's souls are bartered for the lurid drink they brew. Know not that our baby starvelings die like scab-infected sheep. In our damp and draughty hovels, where their cattle would not sleep. Know not life and honor's forfeit to a liquid devil's greed. O kind Lord! have pity! mercy! help us in our direful need. Let the Christ descend from heaven—there are wrongs that need redress—As of old, O Heavenly Father, send thy son to save and bless!"

III.

With a joyous burst of laughter from the mansion across the way Came a merry-hearted trio to a waiting double sleigh. And the gleaming span of silver grays went prancing o'er the snow. While the sleigh bells rang out merrily to a chime else seemed to know. For their merry jingle, jingle, through the crisp December air. Vocalized a rhythmic story that beat time to her despair.

"See the jewels how they sparkle in our baby's shell-like ears. And her diamond necklace dazzles your dim eyes; Every gem she wears was purchased with a million bitter tears. Every golden setting a heavy wither with your sobbing and your sighs. O, kneel and pray for the child who wears that costly, costly crown. For the latter that is empty for your children who repine. For the bows and silver curls that he will yet still shall bear. Praise Him! for with ancient magic turned His water into wine! Turned He men to raging devils with the wine cup's blighting spell. Made, of womanhood, a byword—haunted, gibed and scoffed and scorned. Cursed the hapless unborn infant with a heritage of hell—Is it this for which ye praise Him—this the Christ whom ye have mourned. While the choristers carol loudly: "Peace on earth, good will to men." And the war-born human monsters one another maim and slay. If our "civilized progression" seems to retrograde again; Lift thine eyes unto the stars, fold thy hands and meekly pray. Doubt not he will hear thy pleading for "not even a sparrow falls" (Save the Fowler's gun is ready or the Frost King's lancea kill) And the wind is tempered surely to the shorn lamb as he calls. Vainly for his dam, snow-prisoned, dying by the heavenly will."

IV.

Thus the jangling bells of discord died upon that Christmas night. While the kneeling, dying, martyr still kept praying for the light. Then the joy bells of the steeple through the solemn midnight rang—"Christ is risen—Christ is risen"—thus the sweet-voiced choristers sang. And the dying woman heard them as an answer to her prayer. With her snow-enraptured babies closely clasped in her despair. While the floating spirit listened to the promise she died. "Christ is risen—Christ is risen"—thus the sweet-voiced choristers cried.

Near the portals of a tavern where the drunken debauchee Worships at the shrine of Bacchus with accursed idolatry. Lay a mauling, mumbling "knave of his maker" in the snow—Bogged, dirty, bloated, libel on God's image here below—Debtor to the vanished years and shackled slave of appetite. Stuttering, incoherent curses in the pure air of the night. But above the ribald jesting of the city's gilded hells. Drowning all the drunkards' curses, chimed the sweet-toned steeple bells; "Peace on earth, good will to men;" "Christ is risen; dawn is nigh. And the ancient star of promise lights again the eastern sky." Honolulu, December 23, 1903.

AFTERNOON DISPATCHES
FROM ASSOCIATED PRESS

SAN FRANCISCO, Dec. 28.—The cruiser New York has sailed for Panama.

PHILADELPHIA, Dec. 28.—The Dixie sailed for Colon today with six hundred marines on board.

ATLANTA, Dec. 28.—Four hundred Macedonians have banded together for an invasion of Turkish territory.

LONDON, Dec. 28.—Japan is negotiating for the purchase of the Argentine warships Morens and Rivadavia building at Genoa.

KANSAS CITY, Dec. 28.—A Russian order has been received by powers in Kansas City for 1,500,000 pounds of mess meat to be delivered in San Francisco by January 22. It is supposed that this meat is to be shipped to Port Arthur for the Russian army.

WASHINGTON, Dec. 28.—General Reyes, Colombian commissioner, is preparing to close the Legation in this city and return to Colombia. He finds his mission to defeat the canal treaty an impossibility and it is possible that the closing of the legation here may be the signal for hostilities at the isthmus.

PETERSBURG, Dec. 28.—The consensus of opinion in official circles on the situation in the Far East is that the Czar will make concessions and do all in his power to avoid war with Japan. This prediction is made, however, with the saving clause that circumstances may force his hand. It is well known that the Czar will go to extremes to secure peace but Japan and his own counselors may create a situation making it impossible to avoid

FORMIDABLE
BRIEF FILEDThe Mouldy Story
of Wailuku
Water.

A brief for defendant has been filed by Kinney & McKinnahan in the water controversy of the Hawaiian Commercial and Sugar Co. vs. the Wailuku Sugar Co. It contains 108 pages. There is a note of complaint in the following passages at the beginning:

"This suit arises upon a bill for an injunction. No other relief is sought or asked for. Any relief, if granted, must be by way of injunction against all or part of the acts of the defendant which are complained of by plaintiff in its bill.

"It is not a proceeding to adjust and determine the rights of the various parties interested in the waters of the Wailuku river.

"It will be noted that the plaintiff has elected to bring proceedings in equity rather than before the Water Commissioner, whose jurisdiction has been made extremely broad in the matter of determining and adjusting conflicting claims to water."

"It is claimed that the first question to decide is: 'Has the defendant gone outside of its rights?' And: 'If it has not, that is all there is to it. The bill should be dismissed.'

"In conclusion the brief submits as a most significant fact that no native, Chinese or Japanese taro growers, had connected themselves with this suit. They had abundant opportunity to join in, but not one has taken a hand. It clearly marks the character of the suit. It is a suit to break through the defense of the Wailuku plantation and to weaken and cripple it in some way or other to secure a share of its water."

LUNALILO ESTATE AFFAIRS.

Judge De Bolt confirmed the reports of George Lucas, master, on the 21st and 22nd annual reports of the trustees of the Lunaliilo estate and approved the accounts excepting an overcharge of commissions in the 21st report. The master was allowed a fee of \$100. Receipts of last year, including a balance of \$3912.84 at the first, were \$51,994.20 and payments \$45,498.47. A balance of \$3122.75 on a debt owed by S. F. Graham, who was formerly in the stables and feed businesses here, was charged to profit and loss. After all of his real estate had been sold under foreclosure, Graham left the country and has not since returned. "Before leaving," the report says, "he stated his intention to return and promised to pay, but there is no longer any use in waiting for him."

On August 1, 1902, the trustees held: Bills receivable, \$201,512.65; U. S. 4% bonds, 24,000.00; Cash, 3,969.59.

Total, \$229,482.24.

On August 1, 1903, they held: Bills receivable, \$184,070.00; U. S. 4% bonds, 24,000.00; Cash Sugar Co. bonds, 9,000.00; Cash, 6,529.78.

Total, \$223,599.78.

This shows a deficiency from last year of \$5,882.46, which is thus accounted for: Graham loss, \$3122.75; loss on note of the late Henry Williams, \$975; balance of expenses for year over receipts, \$1735.35. One cause of the excess of expenses was the larger number of inmates at the Lunaliilo Home, with a greater proportion of helpless patients, and another the failure to obtain interest on the Schmidt loan of \$25,000 and the Vasconcellos and Silva loan of \$15,000.

The Lunaliilo Home last year cost \$13,694.97.

THE LAND COURT.

Petitions for registration land titles have been received in the Land court from the Pulehu, the Kula, the Kalia, the Kailua and the Makawao plantation companies of Maui, representing a total of 5000 acres. These are the corporations lately organized in connection with the Kilauea Plantation Co.'s affairs.

PROBATE MATTERS.

John A. Cummins has petitioned to be appointed administrator of the estate of Kahalewai Cummins, who died intestate leaving land in Pango valued at \$1200.

Judge Robinson has appointed Thomas Faine Harris guardian of the five minor children of himself and wife, Kate S. Harris, without bond.

COURT NOTES.

In the partnership suit of Albert Barnes vs. Charles R. Collins, the defendant by his attorney, William T. Rawlins, has filed an appeal to the Supreme Court from the decree of Judge De Bolt.

Judge Robinson, in accordance with the Supreme Court's decision, has made a decree dismissing the equity suit of Henry Smith vs. Sanford B. Dole, Governor of the Territory of Hawaii, and Mary A. B. Rose.

Defendant in the ejectment suit of Cecil Brown vs. J. W. A. Redhouse has filed a bond in \$400 on his motion for a new trial. The appeal is from a directed verdict for plaintiff for possession of the premises, \$300 damages and costs. C. W. Ashford for defendant.

In Leong Yick Co. vs. Hee Pat, Judge Robinson ordered the plea in abatement to stand submitted on briefs. Ashford for plaintiff; Douthitt for defendant.

Judge Robinson set the motion for a new trial of Harrison vs. Magoon at 10:30 p. m. of Dec. 31.

Jury was sworn in Peters Takaki vs. Takahashi Honda and Motokichi M.

HATCH AT
WASHINGTONReally Looked for
a Successful
Deal.

[Mail Special to the Advertiser.]

WASHINGTON, D. C., Dec. 12.—Ex-Minister Hatch has been here all the week, a guest at the New Willard. He has made several visits to the Capitol, where he has been in conference with Delegate Kalaniana'ole and where the two have met with Chairman Hamilton of the House Committee on Territories and with Chairman Foraker of the Senate Committee on Pacific Islands and Porto Rico. He has already sent a cable message of two to Honolulu, telling in brief what he has accomplished towards getting Congress to declare that the county act shall not be construed as in violation of the Organic Act of the Territories. A bill to that effect has already been introduced by Delegate Kalaniana'ole.

The Delegate and Mr. Hatch in their conferences with members of both Houses about the proposed legislation have met with friendly assurances. Their work has largely been to explain the purposes of the proposed act and already the chairmen of both committees, having the legislation in charge, have promised to try to secure a favorable report and a speedy enactment by Congress. The House Committee on Territories held a meeting yesterday for purposes of organization and arrangements have been made to give the Delegate, Mr. Hatch and others influential here in Hawaiian affairs a hearing. It is the purpose at this hearing to make plain to the members of the Territories Committee the purpose of the corrective legislation and to show the disastrous results that will otherwise follow the Supreme Court ruling.

"I have hurried to Washington," said Mr. Hatch today at the Capitol, "at a request from Honolulu to come here and try to help the people out of their present difficulty. I was on the mainland taking a vacation, when the request was made of me. I have come and am doing the best I can. Our proposition has been received in kindly manner. As quick as this business is out of the way I intend to go on to New England for a little vacation."

Mr. Hatch has had opportunity here to renew acquaintance with many old friends. He has been received with cordiality on every hand.

PARKER'S PROXY.

Mr. Elmer Dwyer, the assistant secretary of the National Republican Committee and secretary of Senator Hanna, held the proxy of Senator Committee Parker, of Hawaii, in the meeting last held here, at which it was decided to hold the convention at Chicago June 1.

"Col. Parker called to Mr. Hanna a few days ago that he could not be present," said Mr. Dwyer today. "Mr. Hanna wished me to vote the proxy, authorized by Col. Parker. I had six or seven proxies but distributed the others around among different Republicans, holding the one for Hawaii myself."

"You can tell the people of Hawaii," said he today, "that I voted right on every proposition. I cast the vote of Hawaii for Chicago as the meeting place."

The past week has been a quiet one in Congress. The debate in the Senate on the Cuban reciprocity bill has had few features of interest. The final vote is to be taken the coming week and probably before Christmas the President will sign the bill which will then be the law of the land. Except for the efforts to pass a corrective law for the county act, there has been little activity at the Capitol in which the Territory is interested.

Delegate Kalaniana'ole has been doing considerable work in connection with the estimates of Mr. Carter, as Secretary of the Territory, which were forwarded to the Secretary of the Treasury when he was in New York and also in connection with the estimates for the Territory generally. He has been preparing statements to present before the Appropriations Committee of Senate and House at the proper time to show the needs of the Territories. These figures for the Territory will reach Honolulu, undoubtedly, before this letter, either by cable or by the Pacific coast papers. The most of them, however, are repeated here as a matter of caution.

GOVERNOR'S SALARY.

Secretary Shaw's estimates show that \$5,000 is asked for salary of the Governor, which Secretary Carter asked should be increased to \$7,500 with the argument did not want to make it impossible for any but rich men to become remark that he was certain the Governor of the Territory. This remark caused considerable humorous comment around the Capitol, in view of Mr. Carter's unexpected promotion to the Governorship. The estimates also ask for \$2,000 for the salary of the secretary, \$5,000 for the chief justice and \$3,000 each for the two associate justices. There is also an estimate of \$3,000 for the salaries of each of the

sanaka, and the trial set for 9:30 a. m. of Jan. 1.

THE FEDERAL COURT.

Manuel Claudio Pul pleaded guilty in the United States District Court yesterday to forgery of signatures on a postal money order. He was remanded for sentence until Monday.

Judge De Bolt yesterday afternoon was hearing the libel in admiralty of Pilot Lorenzo against the steamship Clavering, the claim being \$600 for salvage. Captain Rodman of the U. S. S. Rodman was one of the witnesses. Robinson & Wilder for Defendant; Hatch & Bates for Plaintiff.

circuit court judges, making a total of salaries for Hawaii of \$23,500. Mr. Carter asks that the salaries of the judges of the first circuit court be raised from \$2,000 to \$4,000. None of these increases, however, can be made on appropriation bills, in all probability. Separate acts will be necessary. An appropriation of \$3,000 is asked for contingent expenses.

Secretary Shaw also submits an estimate of \$2,200 for the salaries of the United States District Court, presided over by Judge Dole, and for the officers.

An appropriation of \$7,000 is asked for the construction of the building for quarters on quarantine island, Honolulu harbor. This is in connection with the appropriation of \$80,000 authorized by the last Congress. There is asked a lump sum of \$285,000 for the maintenance and ordinary expenses of quarantine stations of the entire country, including of course the quarantine station in Hawaii.

An estimate of \$25,000 is submitted, on recommendation of Secretary of Commerce and Labor Cortelyou, for the maintenance of the existing lights of the Hawaiian Islands. This was forecasted in a cablegram to the Advertiser several weeks ago.

The report of the Secretary of the Interior to Congress will be made public next Monday. It contains quite an extended abstract of the annual report of Governor Dole but makes no specific recommendations, the coming from the Secretary. The recommendations of Governor Dole are repeated in brief.

LILIUOKALANI.

Ex-Queen Liliuokalani, who was a guest here for several days at the residence of the Delegate from Hawaii, her kinsman, while he was absent in New York, has moved into a private residence of her own, where she proposes to remain most of the winter. She is still pressing her claim for the crown lands, as was indicated in my last letter. She has not at all consulted the delegate about the matter and whatever has been done thus far has been done on her own initiative.

If the matter had been left to him Prince Kuhio would have gladly taken the matter up and done all that he could do, which would probably be the most that could be done by anybody. The fact, however, that lobbyists are connected with the claim as it is now urged, will mean that it will meet the same fate as at the last session of Congress.

Consul Thornwell Haynes, at Rotten, France, has forwarded to the Secretary of Commerce and Labor the following about the French sugar harvests of 1902-03:

"The official statistics of the French sugar crop of 1902-3 have just appeared. The number of factories in operation was 319, or 13 less than the year before, when only two factories in the whole of France were idle. The best sold amounted to 6,268,946 tons, or nearly 33 per cent less than the previous year. This was the result of the sugar crisis, which compelled manufacturers to offer low prices. The acreage planted decreased nearly 44,000 acres. The average capacity of all the factories was 19,645 tons of beet roots, or about 220 tons each day of twenty-four hours, as against 229 tons in 1901-2 and 298 tons in 1900-1. This average capacity is considerably less than that of German and Austrian factories. The average density of the roots was 8.0, with variations to 2.3 in the Department of Oise and 7.5 in the Departments of Nord, Pas-de-Calais, and Somme. The amount of sugar produced in 1902-3 was 735,708 tons, as against 932,579 tons in 1901-2. The yield of the roots, in refined sugar, in 1902-3 was greater than has ever been known in France, being 12.38 per cent. The previous year it was 11.24 per cent."

IMMIGRATION.

There is some concern here among the friends of Hawaii about the personnel of the immigration committee of the House. While the labor committee was made up of conservative men, some dangerous men were placed upon the immigration committee. This may not necessarily mean that unfavorable legislation is to be expected but it means that a harder fight than usual would have to be made should any important legislation be proposed. However, it is not the intention to allow any important legislation of any character in Congress this winter, except the appropriation bills, and the short session next year will not afford any opportunity to pass general legislation that is the subject of much controversy.

The quotation of Gen. MacArthur on the prospects of a war with Germany, called here from Honolulu a day or two ago, has aroused extensive comment in Washington. The prospect that Secretary Root has already considered a demand upon Gen. MacArthur for an explanation is probably known by this time in the Islands.

ERNEST G. WALKER.

SMALL BLAZE ON
PACIFIC HEIGHTS

Fire on Pacific Heights yesterday afternoon came near destroying the residence occupied by C. C. Henion of the Waterhouse Trust Co. A spark from burning trash fell on the roof of the house and ignited the dry shingles. A motorman passing on his car saw the blazing roof and attempted to warn the occupants of the house by repeated ringing of the gong. This had no effect, however, and the car was stopped and both motorman and conductor rushed to the house to assist in saving it from destruction. Neighbors also came to the rescue and the fire was extinguished with little loss. Quite a portion of the roof was burned. Mr. Henion had his hand cut while assisting in extinguishing the blaze. None of the furniture was damaged.

AFTER OUR
PINEAPPLESCoast Canneries
Want Island
Fruit.

Representatives of various large fruit canneries on the mainland who have been in Honolulu during the past few weeks have given a decided impetus to the pineapple industry of the islands. There is a growing demand for Hawaiian pineapples because of their superior quality and the care taken in their cultivation and preparation for market. Byron O. Clark, the founder of the Wahiawa colony, is more encouraged than ever, over the outlook for small farming in the islands and is enthusiastic over the prospects for the pineapple industry.

"Probably nothing else could so certainly indicate the splendid outlook for the pineapple industry as the appearance here during the past two weeks of representatives of some of the largest fruit-canning concerns in the United States, one of these being Hunt Bros. of Oakland, Calif.," said Mr. Clark.

"We folks here in Hawaii have all along known that eventually our pineapples would command the foremost attention as a much-desired article for canning, in which we have had a good start."

"Now that we have large interests viewing our superior 'pines' with satisfaction, the future markets will in all probability be greatly increased, and the industry advanced to its rightful position, which evidently will be ahead of the Bahamas and Florida in a short time."

"Our colony at Wahiawa, it is expected, confidently, will during the coming season grow from 250,000 to 300,000 pineapples, a very encouraging outlook for 1904."

"In the brief space of a few years, the land thereabouts has been cultivated to such an extent that where it was difficult to find sufficient grazing on a twenty-acre tract for even one cow, the same acreage now produces pineapples in such number, and in such perfection, as to be truly astonishing."

"There is a big world's market for Hawaiian pines," and, as I said before, the biggest canning houses in the United States are now looking this way, for they see that we have an article that the people want."

FOUNDED IN HONOUR.

No doubt you have seen in the papers such announcements as this concerning some medicine or other: "If, on trial, you write that this medicine has done you no good we will refund your money." Now, we have never had reason to speak in that way concerning the remedy named in this article. In a trade extending throughout the world, nobody has ever complained that our medicine has failed, or asked for the return of his money. The public never grumbles at honestly and skillfully made bread, or at a medicine which really and actually does what it was made to do. The foundations of WAMPOLE'S PREPARATION are laid in sincerity and honour, the knowledge of which on the part of the people explains its popularity and success. There is nothing to disguise or conceal. It was not dreamed out, or discovered by accident; it was studied out, on the solid principles of applied medical science. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. This remedy is praised by all who have employed it in any of the diseases it is recommended to relieve and cure, and is effective from the first dose. In Anemia, Scrofula, Nervous and General Debility, Influenza, La Grippe, and Throat and Lung Troubles, it is a specific. Dr. Theo. Hunt Stucky says: "The continued use of it in my practice, convinces me that it is the most palatable, least nauseating, and best preparation now on the market." You can take it with the assurance of getting well. One bottle proves its intrinsic value. "You cannot be disappointed in it." Sold by all chemists everywhere.

RELIEF AFTER SIX YEARS.

M. A. Clark of Timberridge, N. S. W., Australia, writes: "I was in form you of the wonderful benefit I have received from your valuable medicine. I suffered from a severe cough for six years and obtained no relief until I took Chamberlain's Cough Remedy. One bottle cured me and I am thankful to say that I have never had the cough since. Make any use of this letter that you like for the good of any other poor sufferer." For sale by all chemists and druggists. Wm. B. Clark, agent for Hawaii.

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of
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Our Dead Letter Office.

The second annual report of the operations of the dead-letter bureau of Honolulu, under the charge of the postmaster at Honolulu, has been received. The volume of matter handled, 26,778 pieces, shows a slight falling off from the preceding year, perhaps to be attributed to an improved delivery service. A curious and instructive item of the report is that of the 8,424 pieces of matter returned to foreign countries, 1,774 pieces were returned to Japan against 2,229 to the United States.—Washington Star.

Thayer Is Towed.

Honolulu, Dec. 14.—The schooner *Thayer*, which was stranded on the beach inside the Grays Harbor bar last night while enroute from Honolulu, was successfully pulled off the beach to Komopola, where she was under examination, left this morning for Seattle in tow of the tug *Thayer*. The *Thayer* will go on the draft there and be given a thorough overhauling, as it is thought her timbers are pretty badly strained.

Sugar on Kaula.

The following sugar on Kaula, ready for shipment, is reported by Porter & Co.: W. G. Hall: K. R. M. 1,000 bags; K. 800; W. 500; Mak. 3,274; O. 4; C. 121; P. 175; H. M. 120; K. 120.

CLEMENCY

Fred Wood, the negro sentenced by Judge Kalua on June 8, 1901, to life imprisonment for stealing and breaking a safe on Maui, receives executive clemency from Governor Carter this Christmas morning in the form of commutation of his sentence to ten years. Wood escaped from jail on Maui and again broke loose from the penitentiary gang working at the Makiki quarry in Honolulu. On the latter occasion he stood off the police with a pistol when brought to bay on Punchbowl and was only captured with a gunshot wound in the head. Public opinion extenuated his desperate breaks for liberty, from consideration of the hopeless nature of his sentence.

Kakao, sentenced at the Maui Circuit Court on June 14, 1892, to 20 years for murder and another five years for manslaughter, has his sum total of duration commuted by the Governor today to 21 years.

Charles Pandia, sentenced at the Third Circuit Court, Hawaii, on April 4, 1896, to 20 years for murder in the second degree, has his term commuted to 15 years.

TESTING THE COUNTY ACT.

[The Official and Commercial Record.]

The case brought by Treasurer Kepohai to test the County Act has died on the threshold of the court, on the ground that, as Treasurer, he has no legal authority to bring the suit. There can be no doubt that if he had brought the suit in his capacity as a taxpayer, he would have had a standing in court, and it seems to be drawing the line rather fine to say that the man who pays the taxes has an interest in their disposition, while the man who has the responsibility of their care and disposition has not. However, there is considerable in connection with the case which does not appear on the surface. The case was brought without the knowledge or consent of either the Governor or the Attorney General, against another co-ordinate department of the government, and it was proposed to pay private counsel for this work, at the public expense.

On general principles this proceeding was out of order and, if unobjectioned, would have established a bad precedent. If any head of a department or the government can at his own sweet will, without the knowledge or approval of any one else, start suits against other government officers, employing private counsel at public expense, so to speak, the door will be opened wide for a *Kilkeny* series of law suits, with unlimited graft for attorneys who are in need of fees. The fourteen members of the legislature who were turned into lawyers by a magic wave of the hand would speedily follow up the scent and the calendars of the courts would soon be overflowing with official suits and cross suits, while retainers receipts could be used as paper currency, taking the place of clearing house certificates, which are used as temporary stop gaps during hard times in the Eastern States.

All suits to settle legal questions between departments should be undertaken only upon the knowledge of the Governor and through, or with the approval of the Attorney General. Any other course will lead to confusion and unwarranted expense.

In view of the failure of the Kepohai case to furnish the desired test of the county act, on its merits, the Bar Association has again taken the matter up, formulated a case, and with the approval of the Governor and the Attorney General a Quo Warranto petition has been filed, which will bring up all the general objections which are urged against the County Act.

The meat of the proceeding is the allegation that the County Officers do not hold their offices legally, because the act is invalid, four grounds being alleged, viz:

1. That the organic act provides that public boards shall be appointed by the Governor, while the Board of Supervisors is elected.

2. That the act takes away from the territorial officers certain public works specifically entrusted to their care by the Organic Act, and transfers them to certain newly created county officers, thereby nullifying the terms of the Organic Act.

3. That the act deals with more than one subject, both in its body and in its title, which is prohibited by the Organic Act.

4. That the act did not pass on an aye and no vote upon its third reading, as required by the Organic Act.

It is believed that the Supreme Court will give this case right of way and render a prompt decision. This will clear the atmosphere and let the community and the government know where it stands.

SAILOR STANDS UP WRONG MAN

A couple of blue jackets approached Mounted Officer Bortfelt yesterday and endeavored to negotiate the sale of a valuable watch for \$3. Bortfelt at the time was in citizen's clothes. He asked the intending seller several questions about the timepiece. The other blue jacket tried to dissuade his comrade from making a bargain. Attached to the watch was a Hawaiian coin. Officer Palenaps was hailed by Bortfelt and upon his approach the blue jacket with the watch attempted to get away. When taken in hand by Palenaps, the blue jacket wanted to fight Bortfelt. On taking him to the station a warrant was found there for him for having overstayed his leave.

MANY DIALECTS IN ONE

Ascum—What sort of a hybrid creature is that butler of yours?
Roxley—I give it up. Why?
Ascum—When I called to see you the other day and asked what time I might catch you at home he said, "at half-pawst tin, sah."—Philadelphia Press.

A large crowd witnessed three rattling good boxing bouts at the Favorite Hall last night. In each fight a sailor or was pitted against a Honolulu man, putting up a stiff fight, and in each case the decision given was a draw. The platform was well arranged and in first class condition for fighting.

In the first event a sailor named Gordon, from the battleship *Wisconsin*, met Medeiros, the Portuguese who sometime ago put up a very good fight at the Orpheum. The Portuguese had the advantage in weight and immediately commenced rushing tactics. The sailor met these cleverly and gave Medeiros some very severe punishment. Very quickly Medeiros's right eye was put out of business. It was four rounds of very good fighting and the referee's decision of a draw satisfied the crowd.

In the second event Castro, the Guaman boy who is known as the "Telephone Wonder," was matched against Hummelback, a sailor from the cruiser *Raleigh*. The Guaman boy was the lighter of the pair and his opponent was a mass of muscles. The Telephone man opened the bout with rushes and taking him cue from these the sailor met them squarely and got in some severe body blows. The sailor's long, swinging left frequently found the body of Castro and although the latter had the best of the first round the sailor or had the advantage for the remaining rounds. The last round was of the whirlwind order, the sailor or frequently rushing his man to the ropes and inflicting tough punishment.

Despite this the referee, a sailor against whom there was much complaint during the first three rounds, called the fight a draw. Many considered that the sailor should have been given the decision but the crowd let the matter go in a good-humored way.

The big event of the night was the bout between Hulhui, the Kakao man who in times past has given severe beatings to soldiers Latham, De Lille, and others at the Orpheum, and Jimi Sherlock, a sailor very handy with both feet and hands. The crowd had awarded the fight to Hulhui before the event had started but the clean work of the sailor and his frequent execution of the native soon showed the crowd that they were wrong and that if Hulhui won the fight he would know on the finish that he had met a man of about his own caliber. The first round was an even break but in the five or six rounds following the sailor seemed to lose his speed. Hulhui made frequent rushes, going after Sherlock's wind and head. The sailor met many of these with a duck that saved him. Hulhui became overconfident in the seventh and commenced a game of fooling. This gave the sailor time to get a second wind and from that time to the end of the tenth the work was very lively and as much to the credit of Sherlock as to Hulhui. Sherlock got in some heavy punches to Hulhui's head. In the ninth Sherlock claimed a knock. This was not allowed and his seconds and others attempted to get in the ring to stop the fight but the strong arms of watchful police and others prevented this and the sailor waved back his followers and continued the fight. The tenth was at intervals very fast. The sailor landed the most times and landed clean. He got to Hulhui's head on several times and had the fight lasted longer might have got a decision. Hulhui did most of the leading but it is doubtful if he landed more times than the sailor and the latter's work was so clean that Referee Gordon's decision of a draw satisfied everyone.

SAILOR LIKES HONOLULU

More Curios to Buy Here Than in Any Other Port.

"I have been all over the world, in ports where the curious things on sale attract one at every hand," said a petty officer of the *Wisconsin* yesterday, "but I have never been in a port like Honolulu where I have really found so many things that I wanted to buy to send away to my friends."

The officer at the time had his hands and arms full of packages and was still engaged in a shopping tour.

"If all the men have been at it like me your merchants will have little cause for complaint that the season has not been a fair one financially."

"I have taken quite a fancy to the large number of Hawaiian curios that are offered here," he continued. "The mats, hats, strings of shells, beads, and other trinkets, have a wide variety and at the Christmas season a stranger can hardly pass them by."

Joseph Jefferson caught a trespasser fishing in his well-stocked lake on his Louisiana farm, the other day. The venerable actor went up to him and called his attention to the fact that he was fishing in a private preserve, in violation of the law. The stranger smiled, sadly. "You are mistaken, sir," he replied. "I'm not catching your fish. I'm feeding them. I haven't landed one, and my bait's nearly all gone."

General Young, Chief of Staff, has submitted to Secretary of War Root a new plan for the organization of the army. A new division of the Pacific will be created to include California, Nevada, Washington, Oregon, Idaho, Alaska and Hawaii.

TO SPARE

Why the Petitioners of Diamond Head Must Wait a While.

With regard to the petition of Judge Dole, Samuel Parker, H. Holmes and Henry E. Highton to the Superintendent of Public Works, praying for electric lights in the Diamond Head section, the following communication was given out yesterday by Governor Carter:

Department of Public Works, Honolulu, T. H., December 24th, 1903.
Hon. Geo. R. Carter, Governor, Territory of Hawaii.

Sir: As the request for the installation of three electric lights around the base of Diamond Head was made to this Department in the form of a petition, signed by several prominent citizens, it seems to me that it would be advisable to reply to same through the newspapers.

Urgent necessity for additional electric lights beyond the termination of the Honolulu Rapid Transit & Land Company's line on the Waikiki road, as well as in many other districts of Honolulu is fully appreciated by this Department, but at the present time the generators located at the Nuuanu valley station are operated to their full capacity and some of them are overloaded at all times, and we are also renting extra current for arc and incandescent lights at a monthly expense of approximately \$500.

The Nuuanu electric power plant consists of a number of small units which have been added from time to time as required, and if these were replaced by one larger generator, the efficiency of the station would be greatly increased, and with further development of the water power, which could be done at slight expense, this station would have ample capacity to furnish current for all Government lights at present in use, as well as about 25 per cent additional, and the station could be operated without any further expense for labor.

In view of the fact that the County Act provides for the taking over, on the 4th of January, all of the electric lighting plants now operated by the Territorial Government, by the supervisors of the various counties in which they are located, any addition to the present system in Honolulu will have to be undertaken by this county.

Specifications were drawn up in the Public Works Department and plans made for a new generator and water wheel for the Nuuanu station, but, owing to the provisions of the County Act, it was deemed inadvisable to proceed with this installation, but there is no question that a great saving could be made in the operating expenses of the electric lighting department, should the county find it possible to take up this work, and I should be very glad to turn over any information and data in this office to the Board of Supervisors.

Very respectfully,
(Signed) C. S. HOLLOWAY,
Superintendent of Public Works.

WHOSE FAULT IS IT

A Local Occurrence That Will Interest Many Readers in Honolulu.

If, when a fog horn warns the mariner to sheer off the coast, he still hugs the shore and wrecks upon it, whose fault is it? If the red switch light it up and the engine driver deliberately pulls ahead and pitches into another train, blame the driver. If a careless workman will in spite of warning try to find out how many teeth a buzz saw has, and the saw tries to find out how many fingers the workman has, blame the workman, not the saw. If a sick man knows that a certain medicine is doing him good, and he carelessly neglects to use it, blame the man, not the medicine. If Honolulu people who have kidney complaint and backache will not take Doan's Backache Kidney Pills when they are indorsed by scores of citizens, blame the people, not the indorsers. Read this indorsement:

Mr. John E. Bush of Punchbowl st. this city, is attached to the Hawaiian Interpretation staff at the Supreme Court. He says: "I had kidney trouble, and, acting on the recommendation of a friend, who had tried your invaluable remedy, I got some of Doan's Backache Kidney Pills at Hollister Drug Co.'s store. They were just as beneficial to me as they had been to my friend. It is well the virtues of these pills should be made known, for they really are an excellent medicine for kidney trouble."

Doan's Backache Kidney Pills are for sale by all dealers. Price 50 cents per box, or sent by mail on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name—DOAN'S—and take no other.

RELIEF AFTER SIX YEARS.—Mr. M. A. Clark of Timberrange, N. S. W., Australia, writes: "I wish to inform you of the wonderful benefit I have received from your valuable medicines. I suffered from a severe cough for six years and obtained no relief until I took Chamberlain's Cough Remedy. One bottle cured me and I am thankful to say that I have never had the cough since. Make any use of this letter that you like for the good of any other poor sufferers." For sale by all dealers and druggists. Doan, Smith & Co., agents for Hawaii.

ONE NIGHT TREATMENT

Soak the hands on retring in a strong, hot, creamy lather of CUTICURA SOAP. Dry, and anoint freely with CUTICURA, the great skin cure and purest of emollients. Wear, during the night, old, loose kid gloves, with the finger ends cut off and air holes cut in the palms. For red, rough, chapped hands, dry, fissured, itching, feverish palms, with shapeless nails and painful finger ends, this treatment is simply wonderful.

Millions of Women Use Cuticura Soap

Exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and smoothing red, rough, and sore hands, in the form of baths for soothing irritations, inflammation, and chafing, or too free or offensive perspiration, in the form of washes for disordered weaknesses, and for many sensitive and delicate purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to mention other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICULA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP all that the most skin and complexion soap, the most toilet and most baby soap in the world.

Complete External and Internal Treatment for Every Humour. CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Aust. Depot: E. Towns & Co., Sydney, N. S. W. So. African Depot: LEXSON LTD., Cape Town.

DR. J. COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1894.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. It is the GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM: one dose generally sufficient.

Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cuts short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, Hysteria.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the inventor, DR. J. COLLIS BROWNE. Sold in bottles, 1s 1/2, 2s 6d and 4s 6d, by all chemists.

Sole Manufacturers, J. T. Davenport, Limited, London.

THE first issue of the ST. LOUIS POST-DISPATCH—25 years ago, Dec. 13, 1878, was four pages, 32 columns. It contained no illustrations and sold for 5 CENTS.

ON SUNDAY, DECEMBER 13, 1903, the St. Louis Post-Dispatch will, celebrate its twenty-fifth birthday by the issue of a paper exceeding 124 pages and nearly 1000 COLUMNS. Every page will be profusely illustrated. There will be 18 pages printed in COLORS, including a two-page airship view of the World's Fair. Each copy will weigh over 2 pounds and will cost the publishers 12 cents, but the price to readers will be, as usual, 5 CENTS.

THERE will be signed articles, written especially for this number by Mark Twain, Mrs. Jefferson Davis, Mrs. John A. Logan, Hoke Smith, Gen. Frederick D. Grant, Admiral Dewey, an original poem on the silver jubilee of the Post-Dispatch by Ella Wheeler Wilcox, and hundreds of interesting features by great writers, famous statesmen and clergymen of renown. IT WILL BE THE GREATEST ACHIEVEMENT IN JOURNALISM EVER ATTEMPTED SOUTH OR WEST OF NEW YORK. The edition is limited, the demand will far exceed the supply. Order NOW from your newsdealer.

Out Sunday, Dec. 13

Panama Would Pay Her Share.

NEW YORK, Dec. 28.—In an interview here Bunau Varilla stated that Panama is willing to assume her just proportion of Colombia's debt but will not agree to the demand of England and other countries that Panama should pay ten millions. Bunau Varilla who is Panama's representative in Washington states that the new republic's proportion of the debt according to the population is about one million dollars.

War history: "There," remarked the colonel, as a distinguished individual wearing good clothes, passed by, "there is a man who made the nearest call in the Civil War that I ever saw." "Is that so?" asked the major. "I don't mean to recognize him as a military hero." "No," replied the colonel. "I didn't pose you would. He was the sutler for our regiment, and he made us pay ninety cents a slice for pumpkin pie!"—Cincinnati Times-Star.

